

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PAUL M. PARISE,	:
Plaintiff	:
v.	: Case No. 3:12-cv-179-KRG-KAP
SECRETARY OF CORRECTIONS JOHN	:
WETZEL, <u>et al.</u> ,	:
Defendants	:

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on July 10, 2013, docket no. 23, recommending that the remaining defendants' motion to dismiss, docket no. 19, be denied. The Magistrate Judge had, after screening under 28 U.S.C. § 1915A, previously filed a Report and Recommendation on September 12, 2012, docket no. 2, recommending that the complaint be dismissed as to several defendants for failure to state a claim.

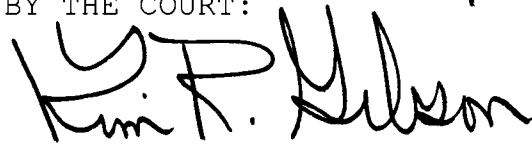
The parties were notified in both cases that pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days to file written objections to the Report and Recommendation. No one filed objections to either Report and Recommendation and the time to do so has expired.

After review of the Reports and Recommendations, and noting the absence of objections thereto, the following order is entered:

AND NOW, this 11th day of September, 2013, it is

ORDERED that the complaint is dismissed as to defendants Wetzel, Glunt, Khatri, Cutshall, and Leahy. The remaining defendants' motion to dismiss, docket no. 19, is denied. The Reports and Recommendations are adopted as the opinion of the Court. The matter remains with the Magistrate Judge for pretrial proceedings.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style with some capitalization.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

Paul M. Parise
1840 Water Street
Indiana, PA 15701